



P/4439-2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

David Wallace Hanaman, et al.

Date: February 28, 2005

Serial No.: 10/668,476

Group Art Unit: 2128

Filed: September 22, 2003

Examiner: Thai Q. Phan

For: PERFORMANCE OPTIMIZER SYSTEM AND METHOD

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT/SUBMISSION**

Sir:

This is a response to the Office Action mailed August 27, 2004 in the above-identified application. Reconsideration of the application is respectfully requested.

**FEE CALCULATION**

Any additional fee required has been calculated as follows:

\_\_\_\_\_ If checked, "Small Entity" status is claimed.

NO. CLAIMS AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		EXTRA PRESENT		RATE	ADDIT. FEE
TOTAL	58	MINUS	58	* =	0	X (\$9 SE or \$18)	\$-0-
INDEP.	5	MINUS	5	** =	0	X (\$44 SE or \$88)	\$-0-
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM						X (\$150 SE or \$300)	\$-0-
* not less than 20 ** not less than 3						TOTAL	\$-0-

If any additional payment is required, a check which includes the calculated fee of \$ \_\_\_\_\_  
(OFGS Check No. \_\_\_\_\_) is attached.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

### **CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

### **SUMMARY OF AMENDMENTS**

1. ☐ If checked, an abstract (an amended abstract) is submitted herewith.
2. ☐ If checked, amendment(s) to the drawings are submitted herewith.
3. ☒ If checked, amendments to the specification are submitted herewith.
4. ☒ If checked, amendments to the claims are submitted herewith.